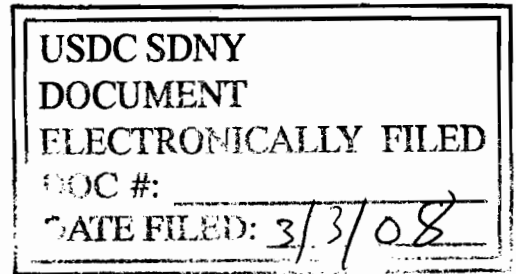


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
Rafael Rodriguez

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.  
-----X

**ORDER**

07 Civ. 9273 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

The Court, having examined the petition in this action, pursuant to 28 U.S.C. §2255, and having concluded that the petition should not be summarily dismissed, it is hereby:

ORDERED that the United States Attorney for the Southern District of New York shall file an answer or other pleading to the petition, along with the record on appeal, appellate briefs, and relevant trial and post-conviction records and transcripts, no later than March 31, 2008, and petitioner may file any reply papers no later than April 28, 2008 and it is further

ORDERED that the Clerk of the Court shall serve copies of this Order and of the petition by certified mail, return receipt requested, upon the petitioner and the United States Attorney for the Southern District of New York.

SO ORDERED.

Dated: New York, New York  
3/3, 2008

Handwritten signature of Alvin K. Hellerstein.  
ALVIN K. HELLERSTEIN, U.S.D.J.